

**ORGANIZATIONAL & REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
JANUARY 27, 2015
TUESDAY, 10:00 AM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

AGENDA

CALL TO ORDER

ORGANIZATIONAL MEETING

- Swearing in of Newly Elected Officials
- Nomination and Selection of 2015 Council President
- Set 2015 Regular Meeting Dates

REGULAR MEETING

- **INVOCATION/PLEDGE OF ALLEGIANCE**

- **APPROVAL OF MINUTES**
 - ❖ December 16, 2013 Regular Council Meeting

- **ADOPTION OF AGENDA**

- **MAYOR'S REMARKS**

- **COUNCIL REMARKS**

- **CITY MANAGER & DEPARTMENT REPORTS – EXCEPTIONS AND QUESTIONS**

- **NEW BUSINESS**
 - ❖ Approval of 2015 Agreement with SV/Scaly Fire Department
 - ❖ Set Qualifying Fees for the 2015 General Election
 - ❖ Nomination & Selection of three P & Z member
 - ❖ Creation of 2015 Committees & Member Appointments
 - ❖ Ordinance - GMEBS Insurance Plan Documents
 - ❖ Discussion of waiving building permit fees for new construction in 2015

- **PUBLIC FORUM AND GENERAL COMMENTS**

- **ADJOURNMENT**

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
DECEMBER 16, 2014
TUESDAY, 10:00 AM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

MINUTES

Mayor Goodgame called the meeting to order.

Those present: Mayor Goodgame, Council President Larsen, Councilors Carr, Greene, and Howard.

Cathy Turner gave the invocation.

Mayor Goodgame led the Pledge of Allegiance

Councilor Greene made a motion to approve the minutes of the November 18 Public Hearing, 2nd Council President Larsen, unanimously approved.

Councilor Greene made a motion to approve the minutes of the November 20 Regular Meeting, 2nd Councilor Carr, unanimously approved.

Council President Larsen made a motion to adopt the agenda, 2nd Councilor Greene, unanimously approved.

MAYOR'S REMARKS

Mayor Goodgame said that Gene Haywood, Laura Gurley's father fell and broke his hip and is having surgery this afternoon. He asked for prayers.

The annual party was last night. Milner Lively bartended and provided music. Employee bonuses were given out.

This afternoon at 1:00 PM, we are going to meet at City Hall to pick up litter on Hwy 246. If anyone would like to help, please meet there.

The Maintenance & Public Works Committee has been working diligently on garbage collection options. We started out with 18 options and have narrowed them down to seven. At the last MPW Committee meeting, we had a quorum and several in the audience. The different options were discussed, and the committee and audience agreed that the two best options included installing a small compactor at the tractor barn and the city collecting garbage instead of outsourcing the collection. One option is for the city to collect garbage twice a week, and the other option is to collect garbage once a week and recycling once a week.

There has been some recent clear-cutting, and the Council wanted a way to prevent that from happening and a way to protect native species. He had a conversation with the Building Inspector and City Manager yesterday about what happens when trees are topped. Most of the trees, especially the pine trees, die when topped. He said that we think it would be better to cut the tree down entirely than to top it. It is important for property owners to be able to improve their property, and a view is very important for home values.

Mayor Goodgame said he is very excited about what we are planning for the next year. At the last Marketing Committee meeting, we did decide to host a beer festival over Memorial Day weekend. City Clerk Cantrell is working on the details of the festival. We will also be talking to someone soon regarding being our marketing director. This person has a golf background, and he manages the Georgia Golf Trail. About 10 to 15 percent of the community plays golf, and we have so much more to offer in our area such as tubing, rafting and nearby skiing. We are working to build four events per year. We will also be doing quite a bit of paving in 2015.

Verizon has the cell tower project out to bid right now, and expect bids back in February.

COUNCIL REMARKS

Councilor Carr wished everyone a Merry Christmas.

Councilor Howard said he and his wife attended the celebration of life service for Councilor Whatley in Atlanta.

Council President Larsen said that he would like to see some more effort from the community, city, and club to try and get a bed and breakfast facility in Sky Valley. He said that would really help promote everything we have to offer and greatly help with being able to offer stay and play packages.

CITY MANAGER & DEPARTMENT REPORTS – EXCEPTIONS AND QUESTIONS

City Manager Lapeyrouse reported on the city's holiday closing schedule.

Tax bills have been mailed out and are due February 6, 2015.

NEW BUSINESS

- Tree Cutting Ordinance – Clear Cutting

Mayor Goodgame presented the Ordinance. Councilor Howard made a motion to approve, 2nd Council President Larsen. Councilor Greene asked about the 10' X 10' area. City Manager Lapeyrouse explained that per the Ordinance, you can cut trees smaller than 8" in diameter at 18" above the ground 60' around your house, and this amendment allows you to cut up to a 10' X 10' area in addition to that. This is to help protect native trees and shrubbery and also to help with soil erosion issues that occur when large areas are cut. The motion passed unanimously.

- 2014 Budget Amendment

Mayor Goodgame presented the budget amendment and explained that it incorporates changes made by council during the year, and that it commits locally restricted funds so that they can be shown as restricted in the audit. Councilor Greene made a motion to approve, 2nd Council President Larsen, unanimously approved.

- Employee Health Insurance

Mayor Goodgame said that healthcare has changed dramatically in recent years. The city has had health insurance through GMA for many years because it was the best group plan option. We have been looking into different options and have narrowed it down to working with an agent who is able to assist us with setting up the individual plans through the exchange. He asked for a motion to approve changing our health insurance adding that this option is also a better price. Councilor Howard made a motion to allow administration to make the decision on cancelling group health insurance and to move forward with a new plan, 2nd Council President Larsen, unanimously approved.

- Garbage Collection - Option

Mayor Goodgame said that we sent out a survey with the two options recommended by the MPW Committee, and based on the Committee's work and the survey results, the best option is for us to do curbside garbage collection once a week and curbside recycle pick-up once a week. Councilor Greene made a motion to move forward with making this change, to install a small compactor, and begin curbside garbage pick-up once a week, and curbside recycle pick-up once a week, 2nd Council President Larsen. Discussion followed about the cost of the compactor and what recyclables will be collected. City Manager Lapeyrouse said that the cost to install the compactor is \$14,160 and the recyclables that we can pick up is dependent on what type of sorting trailer we get. Mayor Goodgame added that we have not yet discussed picking up mixed paper or cardboard. The motion passed unanimously.

- Garbage Collection – Purchase of Equipment Needed for Collection

Mayor Goodgame said that we estimate the garbage truck to be around \$125,000 and \$6,000 for the trailer. The compactor to be installed at the tractor barn is \$14,160, and the dumpsters (to replace existing dumpsters at condo units) are \$7,200. He asked for a motion to purchase these items. Councilor Greene made a motion to approve the purchases, 2nd Council President Larsen, unanimously approved.

- Discussion of Enterprise Fund Depreciation

Mayor Goodgame said that most entities he has been involved with fund depreciation. The city has not funded depreciation. He explained that he feels it is important to fund depreciation, and that is a part of the reason we had a millage increase. In the past several years, fund balance was used to balance the operating budget. We calculated funding depreciation in the garbage options presented. We have not finalized solid waste or water fund budgets. He said that without funding depreciation, we anticipate being able to net around \$30,000 in 2014. He and City Manager Lapeyrouse presented options for funding a portion of depreciation in 2015. Mayor Goodgame asked for a motion to approve increasing the base water rate by 15-percent, this would increase the base rate for single family residential from \$30 to \$34.50. It only increases the base rate; it does not increase the incremental charges for more usage.

Councilor Greene made a motion to approve increasing the base water rate by 15-percent and the 2015 water fund budget based on this rate, 2nd Council President Larsen. Mayor Goodgame said that when he looked at our depreciation schedule, all of the water equipment (not including the system improvements) has been fully depreciated, and we have no funds set aside to replace the equipment. Council President Larsen said that depreciation is a real expense even though you don't see it until you need to replace a vehicle. The motion passed unanimously.

PUBLIC FORUM AND GENERAL COMMENTS

Bob MacNair asked when we are going to replace Councilor Whatley's position on Council. Mayor Goodgame said that because there was longer that 12 months left in his term, our Charter states that we will have a special election to fill the vacancy. The special election date is the Tuesday, March 17, 2015.

Al Lee asked when the new garbage system will be implemented. Mayor Goodgame said that we would like to look at the equipment before we purchase it, and our current contract to outsource collection goes through the end of February 2015.

Mayor Goodgame said that we are addressing the problem with the leaf vacuum blowing leaves out the top.

Dee Moore asked if we are planning to use the liquid on the roads this winter. City Manager Lapeyrouse said that we will if the conditions are right for using it.

Councilor Greene asked when the rates we approved go into effect, and when will the garbage service change. City Clerk Cantrell said that the 2015 budget is based on the new rates, and they will be reflected on January billing cycle – the bill received in February. City Manager Lapeyrouse said the contract with Waste-Away for curbside garbage collection goes through February so we anticipate the change in garbage collection to be effective March 1, 2015.

Mayor Goodgame said that since Council has approved the changes to garbage collection and purchasing the equipment, we can go ahead and approve the 2015 garbage budget based on a rate of \$23 per month. Councilor Greene made a motion to approve, 2nd Councilor Carr, unanimously approved.

City Clerk Cantrell said that she wanted to thank everyone who is collecting and submitting hotel/motel tax on vacation rentals. We have seen a large increase in revenue from this in 2014, and these funds help with marketing Sky Valley to attract more people. Dee Moore asked if the remittance reports could be submitted quarterly instead of monthly. City Clerk Cantrell said that the State mandates monthly remittance.

Mayor Goodgame said that he has been asked about people having storage sheds on their property. Discussion followed about what the building code requires and if storage sheds should be required to meet the building code. This item will be further researched and discussed later.

Councilor Greene made a motion to adjourn, 2nd Councilor Carr, unanimously approved.

Respectfully submitted:

Hughel Goodgame, Mayor

Attested:

Mandi Cantrell, City Clerk

**Totals Report For 2013 Taxes
December 2014
Tax Commissioner**

| | Billed | Collected | Adjustments | Outstanding |
|---------------------|-------------------|-------------------|------------------|-----------------|
| 2013 Ad Valorem Tax | 838,547.44 | 825,865.64 | 5,810.10- | 6871.70 |
| Interest | 2305.63 | 1481.23 | 0 | 824.40 |
| Penalty | 1585.69 | 898.53 | 0 | 687.16 |
| Costs | 444.00 | 264.00 | 0 | 180.00 |
| Totals | 842,882.76 | 828,509.40 | 5,810.10- | 8,563.26 |

Collected: 99.17%

**Totals Report For 2014 Taxes
December 2014
Tax Commissioner**

| | Billed | Collected | Adjustments | Outstanding |
|---------------------|-------------------|-------------------|-----------------|-------------------|
| 2014 Ad Valorem Tax | 953,344.25 | 416,314.65 | 3,290.00- | 533,739.60 |
| Interest | | | | 0 |
| Penalty | | | | 0 |
| Costs | | | | 0 |
| Totals | 953,344.25 | 416,314.65 | 3290.00- | 533,739.60 |

Collected: 43.82%

| Housing & Development Departmental Data Report | For month ending December 31, 2014 | | |
|---|---|------------|---------------------|
| | Dec-14 | YTD | 2013 YTD |
| New Residential & Commercial permits issued | 1 | 1 | 0 |
| All other addition, remodel and repair permits | 6 | 119 | 101 |
| Certificates of Occupancy issued | 0 | 1 | 0 |
| Total New Construction not yet finalized | 1 | | 1 |
| Total Other Construction not yet finalized | 12 | | 9 |
| Notices to Comply issued | 0 | 24 | 5 |
| Stop Work Orders issued | 0 | 7 | 2 |
| Tree Cutting permits issued | 6 | 75 | 69 |
| Code & Ordinance Violations cited | 0 | 0 | 2 |
| | | | |
| Fees Collected | | | |
| | | | |
| | Dec-14 | YTD | 2013 YTD |
| New Residential or Commercial Permits | \$0 | \$0 | \$0 |
| Other Addition, Remodel, Repair Permits | \$225 | \$6,908 | \$6,511 |
| Tree Cutting Permits | \$510 | \$4,050 | \$3,885 |
| Land Disturbing Permits | \$0 | \$0 | \$700 |
| Fines Collected for for Ordinance Violations | \$0 | \$0 | \$0 |

Departmental Report by the City Manager

January, 2014



Announcements -

The January organizational meeting and council meeting has been scheduled for Tuesday, January 27, 2014, at 10:00 AM in the Fellowship Hall.

Tax bills are due February 6th and will begin accruing penalties and interest after that date. You should have received separate tax bills from the city and the county. If you have not received your bill, please contact Alyssa Mullins at City Hall for a duplicate billing.

If you are not currently claiming the homestead exemption in the city and the county separately, you must file in person between January 2 and June 1. Qualification requires that you must own and occupy the property as of January 1 as your primary domicile and legal residence for all purposes, which includes the registration of your vehicles and filing of your state income taxes. Exemptions are not automatically granted. Special exemptions are available if you are 100% military service connected disabled or their un-remarried spouse, or the un-remarried spouse of a peace officer or firefighter killed in the line of duty. Once approved, the exemption remains in effect as long as you own and reside in your home subject to periodic audits to verify continuing eligibility.

Public Works -

So far, travel conditions this season haven't been bad, however city employees are prepared to work long hours as necessary throughout the winter season to keep the 26 miles of City streets as safe as possible following a storm event. Plows are called out when there is 1 – 2" of snow accumulation. We have two snow plows, two chat spreaders and one liquid salt brine sprayer that we use depending on the conditions. Remember... snow removal crews are able to clear the roads much quicker and safer when they don't have obstructions in the roadway. When crews have to move about the city in response to individual motorist situations, the entire snow removal process is severely slowed.

Here are a few reminders of winter road hazards to consider for everyone's safety:

Please avoid parking on roadways or abandoning your vehicle on City roadways when road conditions make roads impassable. In order to ensure that the Sky Valley Police and city road crews are able to keep the roads open during inclement weather, any vehicle that is impeding snow removal efforts or is leading to the endangering of public safety will be removed by an approved wrecker service at the owner's expense. If you are forced to abandon your vehicle,

you must leave it where it does not obstruct the roadway. Do not leave valuables inside and have the vehicle moved as quickly as it is safe to do so.

Motorists should make a reasonable effort to remove all ice and snow from their vehicles before traveling. Snow and ice left on a vehicle, in particular on the hood, windows and roof, can become a deadly projectile, creating a hazard for everyone on the road.

Snow left out in the road by homeowners or private snow plowers can be a road hazard. We have all come upon this situation where we are driving along and come across a wall of snow trailing out of a driveway across the road. Snow should never be plowed onto or across the roadway. The proper way to plow a driveway is to start at the mouth of the drive and plow in.

Make sure your children/grandchildren do not play in any large piles of snow located near the roadway. These piles of snow look appealing to children, but can be very dangerous when the plows are pushing snow.

The City strongly urges residents and motorists to exercise extreme caution and avoid making unnecessary road trips during a storm event. Be extremely cautious when driving or walking on slippery roadways.

Use common sense. If it looks and feels unsafe, it is. Plan ahead... run your errands before a storm arrives, don't get out if you don't have to, be patient, and know your vehicle's abilities. If you don't have 4WD or AWD, your chances of negotiating slippery streets and hills without problems are severely diminished. The City crews have 4WD, use snow chains, and still often find themselves in precarious situations. Driving on slippery roads is dangerous and should be avoided when possible.

By working together we can make this a safe winter season.

Water –

Beginning with your next utility bill, the base rate for water service will be \$34.50 for the first 2,000 gallons. The incremental rate per 1,000 gallons did not change. Multi-family and commercial water rates also increased by 15% on the base rate determined by the meter size. Additional usage will still be billed at \$10.00 per 1,000 over the first 2,000 gallons on all multi-family and commercial accounts.

Don't forget that we offer automated bank draft for water/garbage billings. Please contact Alyssa Mullins at City Hall to sign up for this service. Remember, your account will automatically be drafted for the total amount due each month. You will still receive a paper bill so that you can continue to audit the water usage and billing amount each month.

City Ordinance requires that all residences vacated during winter months shall be winterized to protect the plumbing from freezing. Under no circumstances may a water tap be left open to prevent freezing while you are away. Any vacated residence detected using water by the City will be assumed to have faulty plumbing internally. Upon this assumption the City will turn off

the water to prevent additional damage to the property and attempt to contact the property owner. We cannot emphasize enough that you should have your homeowner valve adjacent to the meter shut off when you are going to be away. If you are unable to turn off/on the valve by yourself, the City offers this service for \$10.00.

Solid Waste -

Beginning with your next utility bill, single-family residential solid waste collection will be billed at \$23. This fee covers household garbage pick-up once per week, recycling pick-up once per week (beginning in March), leaf collection and limb chipping services. This rate also includes access to a compactor to be located at the equipment barn on Knob Drive behind the mail facility. The compactor will take the place of the three existing dumpsters and will be accessible 24/7. Household garbage will be picked up at the street on Mondays and recycling will be picked up on a different day to be determined. The City will provide one recycle container for you to use. You will not have to sort the recycling. We will do that for you. If you have your own bins, you can use those as long as they can be lifted by hand. We are currently taking reservations for recycling bins. Please contact City Hall at 706-746-2204 or email svcitymanager@windstream.net to reserve your bin. Pick-up days, recycling items we will accept, compactor usage information, holiday schedules, etc. will be determined in the next few weeks and will be e-mailed out. If you do not currently receive e-mail notifications or automated emergency calls from the City, please subscribe by contacting City Hall by phone or e-mail or you can subscribe through the City's website at www.skyvalleyga.com.

On days of inclement weather, we may be unable to run the garbage route. Automated phone calls will be utilized to keep you informed of these circumstances. Don't forget that garbage should not be placed out for pick-up any earlier than the morning of the service. Trash must be out by 8 AM on the day of pick-up. Animals scatter garbage even when put in the underground cans. The dumpster at the tractor barn on Knob Drive can be utilized when you need to take your garbage somewhere prior to a garbage collection day. This is especially important when your garbage contains food items.

With the nation becoming more environmentally conscious, we need to recognize the importance of recycling. We are confident that with the addition of curbside recycling pick-up, we can divert a significant amount of our garbage from the landfill. It is essential that we encourage ourselves and our neighbors to recycle.



Reduce... Reuse... Recycle...

Reduce the amount and toxicity of trash you throw away

Reuse containers and products

Recycle as much as possible and buy products with recycled content

AGREEMENT

State of Georgia
County of Rabun

Whereas, the CITY OF SKY VALLEY, hereinafter referred to as First Party, is a municipal corporation in said State and County, chartered by the General Assembly of Georgia, and

Whereas, the SKY VALLEY-SCALY MOUNTAIN VOLUNTEER FIRE & RESCUE DEPARTMENT, INC., hereinafter referred to as Second Party, is a corporation with an office and place of business located in said County, and

Whereas, the parties desire to enter into this Agreement for certain services to be performed for the benefit of First Party by Second Party,

Now, therefore, and in consideration of the mutual promises herein set forth and the payment by First Party to Second Party of the sum herein specified, it is mutually agreed as follows:

I. TERM OF AGREEMENT

This Agreement shall be effective when signed by both parties and shall continue in full force and effect until December 31, 2015. It may be renewed by the parties thereafter from year to year by a letter of intent to renew signed by both parties and attached hereto which shall specify any modifications hereof.

II. DESCRIPTION OF SERVICES

Second Party shall provided fire fighting and rescue services in the same manner and to the same extent as it has in previous years for dwelling houses and other buildings and surrounding and adjacent areas located within the City of Sky Valley.

III. AFFILIATION

Second Party is an Independent Contractor as to First Party and is not an agent or employee. The time and manner of performance shall be within the sole and exclusive discretion of Second Party taking into consideration the nature of the duties and obligations of Second Party as a fire and rescue service. First Party shall have no control over the same but Second Party shall cooperate with the Sky Valley Police Department and City Government and its employees in carrying out its duties and obligations.

IV. COMPENSATION FOR SERVICES

First Party will financially contribute to Second Party for its services in the first, second, third and fourth quarters of the year 2015 in the amount of \$14,707.00 per quarter for a total of \$58,828.00⁶⁸⁰⁰ for the year. This constitutes one mil of the adjusted Net M&O Digest value of real property within the City for calendar year/tax year 2014.

V. SPECIAL CONDITIONS

The following Special Conditions shall apply:

(A) This Agreement is made in Rabun County, Georgia, and the law of Georgia shall govern the legal construction and interpretation of its provisions and the rights and remedies of the parties.

(B) The provisions hereof constitute the entire Agreement of the Parties and no oral agreement, promises or inducements made by either Party shall bind the other unless reduced to writing and incorporated herein.

(C) This Agreement may not be modified except in writing executed by both parties.

WITNESS THE HAND AND SEAL OF EACH PARTY THE DATE SET OPPOSITE EACH SIGNATURE.

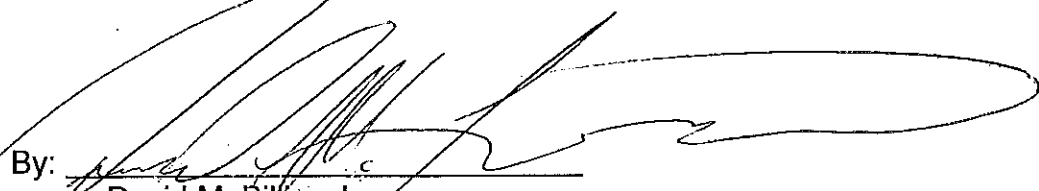
The City of Sky Valley, Georgia, First Party

By: _____
Hughel Goodgame, Mayor

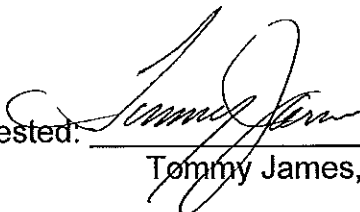
Date: _____
(Affix City Seal)

Attested: _____
Mandi Cantrell, City Clerk

Sky Valley-Scaly Mountain Volunteer Fire & Rescue Department, Inc., Second Party

By:  _____
David M. Billingsley
Chairman of the Board

Date: 1/19/2015
(Affix Corporate Seal)

Attested:  _____
Tommy James, Chief

2015 Committees

| Mayoral Advisory | Marketing | Beautification | Capital & Special Projects |
|------------------|-----------------|-------------------|----------------------------|
| Robert Larsen | Laura Gurley | Christine LaMonte | Ray Becker |
| Neil Howard | Steve Brett | Liz Carr | John Temple |
| Clifford Bell | Sam LaMonte | Sally Shearon | Jesse Durham |
| Dee Moore | Luke Fogerty | Gail Phillips | Pam Spears |
| Steve Brett | Cathy Turner | Ed Morley | Will Gurley |
| Paula Jensen | Connie Hughes | Joe Routt | Liz Morley |
| Helen Kleiber | Milner Lively | Rebecca Dean | John Hoppes |
| Hughel Goodgame | Hughel Goodgame | Hughel Goodgame | Martin Greene |
| | | | Hughel Goodgame |

| Maintenance & Public Works | Public Safety, Emergency Response, Crisis Management | Visitor Center | Neighborhood Watch |
|----------------------------|--|-----------------|--------------------|
| Martin Greene | David Carr | Debbie McAfee | Maureen Platt |
| John Hodges | Ed Dean | Liz Carr | Liz Carr |
| John Maus | Sharon Hoppes | Bobbie Rothberg | Ray Brooker |
| Ed Morley | Truman Barber | Hays Howard | Bruce Turner |
| Carolyn Burgess | Al Lee | Jackie Bell | John Hodges |
| Helen Kleiber | Carl Lynn | Lolly Payne | Ed Dean |
| Bob MacNair | Pam Greene | Hughel Goodgame | Joel Dawkins |
| Ben Chitwood | Robert Larsen | | Hughel Goodgame |
| Hughel Goodgame | Hughel Goodgame | | |

2015 Planning & Zoning Commission

| | | | |
|---------------|------|------|------|
| Steve Shepard | 2015 | | |
| Will Gurley | 2015 | 2016 | |
| Dan McAfee | 2015 | 2016 | 2017 |
| Tommy Tebeau | 2015 | 2016 | 2017 |
| Liz Morley | 2015 | 2016 | 2017 |

AN ORDINANCE

An Ordinance to provide for participation by the City of _____ (“Participating Employer” or “Employer”) in the Georgia Municipal Employees Benefit System (GMEBS) Life and Health Program, in accordance with and subject to the terms of the GMEBS Life and Health Program Trust Agreement, the GMEBS Life and Health Program Participation Agreement, the Participating Employer’s Declaration Page(s), and the Rules governing the Program, all as authorized and provided by Chapter 5 of Title 47 of the O.C.G.A.; to provide an effective date; to repeal conflicting ordinances; and for other purposes.

WHEREAS, the Participating Employer has determined that it wishes to provide certain employee benefits to its employees by participating in the Georgia Municipal Employees Benefit System Life and Health Program (“GMEBS Life and Health Program” or “Program”) and by making contributions to the GMEBS Life and Health Program Trust Fund (“Trust Fund”); and

WHEREAS, the Participating Employer has reviewed the terms of the GMEBS Life and Health Program Trust Agreement (“Trust Agreement” or “Trust”), which Trust is intended to be a tax-exempt trust established under Internal Revenue Code Section 115 and under the applicable laws of the State of Georgia; and

WHEREAS, the Participating Employer has reviewed the terms and conditions of the GMEBS Life and Health Program Participation Agreement (“Participation Agreement”) and the various forms of coverage and/or benefit plans offered under the GMEBS Life & Health Program; and

WHEREAS, the Participating Employer has reviewed the Declaration Page(s) (“Declaration”) accompanying the GMEBS Life and Health Program Participation Agreement and has completed and will amend, as necessary or required, said Declaration to reflect its elections with respect to employee eligibility requirements and Program benefits that the Participating Employer intends to make available to eligible employees; and

WHEREAS, the Mayor and Council/Commission of the Participating Employer (“Governing Authority”) is authorized by law to adopt this Ordinance, the Trust Agreement, the Participation Agreement, and the Declaration on behalf of the Participating Employer;

NOW, THEREFORE, BE IT ORDAINED by the Governing Authority of the Participating Employer and it is ordained by the authority thereof:

Section 1. The Participating Employer hereby adopts and agrees to be bound by the terms of the following GMEBS Life and Health Program Trust Agreement, the Participation Agreement, and Declaration which are attached hereto and made a part of this Ordinance. The Participating Employer also agrees to be bound by any Program Rules adopted by the GMEBS Board of Trustees (“Trustees”). The Participating Employer further agrees to abide by the terms of any amendments made by the Trustees to the Trust Agreement or the Program Rules.

Section 2. Severability. In the event that any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions or the other section or sections, subsections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudicated invalid or unconstitutional were not originally a part hereof. The Governing Authority hereby declares that it would have adopted the remaining parts of this Ordinance or retained the previously existing provisions if it had known that such part or parts hereof would be declared or adjudicated invalid or unconstitutional.

Section 3. Approval by Trustees or the Program Administrator. The Participating Employer's Ordinance and Declaration are subject to approval by the Trustees or the Program Administrator. The Trustees or Program Administrator may refuse to approve or may delay the effective date of an Ordinance and Participation Agreement or Declaration that is not in order as determined by the Trustees or the Program Administrator. The Governing Authority of the Participating Employer hereby acknowledges that it is responsible to assure that this Ordinance is adopted and executed by the Participating Employer in accordance with the requirements of applicable law.

Section 4. Effective Date. This Ordinance shall be effective on the date of approval by the Governing Authority or, if later, such other effective date designated by the Trustees below upon approval and acceptance of the signed Ordinance and Declaration.

Section 5. Repeal. All ordinances and parts of ordinances in conflict herewith are expressly repealed.

Approved by the Governing Authority of _____, this _____ day of _____, 20__.

Attest:

Signature

Signature

City Clerk

Mayor

(SEAL)

Approved:

Signature

Attorney

TRUSTEES' APPROVAL

The terms of the foregoing Ordinance and Participation Agreement are approved on behalf of the Board of Trustees of the Georgia Municipal Employees Benefit System.

The effective date of the Employer's participation in the GMEBS Life and Health Program will be _____ [insert date *only if* Trustees' approved effective date for Employer's participation is later than effective date designated in Section 4 above].

IN WITNESS WHEREOF, the Board of Trustees of the Georgia Municipal Employees Benefit System has caused its Seal and the signatures of its duly authorized officer to be affixed this _____ day of _____, 20____.

Board of Trustees
Georgia Municipal Employees
Benefit System

(SEAL)

Secretary